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GOLDEN EAGLE GROUP, INC. dba

PEKING PLACE, WEN-YING LIN LO (incorrectly

named as Wenying L Lo)

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

FENG CHEN,

Plaintiff,

vs.

GOLDEN EAGLE GROUP, INC. DBA  
PEKING PALACE, WENYING L LO,  
AND DOES 1-10,

Defendants.

CASE NO. C07 04433 JL

**DECLARATION OF MARIE H. EDDY  
REGARDING ATTEMPTS TO E-FILE  
ANSWER TO COMPLAINT AND  
DECLINATION TO PROCEED BEFORE  
A MAGISTRATE JUDGE VIA ECF  
WEBSITE**

Action Filed: August 28, 2007

Trial Date: Not Yet Set

I, Marie H. Eddy, declare as follows:

1. I am a secretary to Gregory J. Walsh, an associate with Dickenson, Peatman & Fogarty, attorneys for defendants Golden Eagle Group, Inc. dba Peking Palace and Wen-Ying Lin Lo in the above-captioned matter. I am over the age of 18 years, and not a party to this action. I have personal knowledge of the facts stated in this Declaration and if called, would testify truthfully to them.

1           2.       On September 24, 2007, I attempted to file Defendants' Answer to Plaintiff's  
2 Complaint and Declination to Proceed Before a Magistrate Judge with the Court by ECF filing. My  
3 first attempt to enter the ECF-Pacer section of the United States District Court-Northern District's  
4 website, was at approximately 2:10 p.m. at which time I received a message indicating that Internet  
5 Explorer could not display the website.

6           3.       I attempted to file the documents again at 2:50 p.m. and still could not access the ECF  
7 website. I called and spoke with the Clerk, who informed me that the website was down and that  
8 General Order No. 45 was in effect, if I could not file the document before midnight.

9           4.       I attempted to file the documents again at 4:00 p.m., 5:00 p.m. and 5:25 p.m. A 5:25  
10 p.m., I read the "Public Announcement" on the Court's website indicating that the CM/ECF system  
11 was shut down to the public due to technical difficulties and it was unknown when the problem  
12 would be corrected. The announcement also noted that since this problem had gone on for so long,  
13 GO45, section VI.E. was now in effect.

14           4.       I attempted to file the Answer to Complaint several times during the evening, up to  
15 and including, 11:00 p.m., and was not able to access the site.

16           5.       On September 25, 2007, I called the U.S. District Court and asked about the ECF  
17 website and was advised that it was still unavailable and that I could manually file or fax and file our  
18 document.

19           I declare under penalty of perjury under the laws of the United States of America that the  
20 foregoing is true and correct.

21  
22 Dated: September 25, 2007

\_\_\_\_\_  
/s/  
Marie H. Eddy